

November 1, 2021

VIA ECF

Magistrate Judge Debra C. Freeman
United States District Court
Southern District of New York
Daniel Patrick Moynihan Courthouse
500 Pearl Street
New York, NY 10007-1312

Re: (1) *In Re Amazon.com, Inc. eBook Antitrust Litigation*, 1:21-cv-00351
(2) *Bookends & Beginnings LLC v. Amazon, et al.*, 1:21-cv-02584

Dear Magistrate Judge Freeman:

I write on behalf of all Parties in the above-referenced proceedings in accordance with Section 1(F) of Judge Woods' Individual Rules of Practice, which require the submission of a joint letter in support of a stipulation and proposed order.

The Parties hereby jointly request that Your Honor enter the proposed Discovery Protocols [ECF No. 121-1; ECF No. 102-1]¹ as a supplement to the Federal Rules of Civil Procedures, this Court's Local Rules, and any other applicable orders and rules so that the Parties may conduct discovery of electronically stored information ("ESI") and other documents in the above-referenced proceedings. The Parties have jointly agreed-to and have signed on to the provisions of the proposed Discovery Protocols and have spent weeks discussing their contents.

This Court has the legal authority to enter these Discovery Protocols under Federal Rule of Civil Procedure 26(c). As the Second Circuit has recognized, a district court has "broad latitude to determine the scope of discovery and to manage the discovery process." *EM Ltd. v. Republic of Argentina*, 695 F. 3d 201, 207 (2d Cir. 2012).

¹ ECF cites in this Letter are as follows. The first ECF No. refers to the proceedings in 1:21-cv-00351 ("eBooks"). The second ECF No. refers to the proceedings in 1:21-cv-02584 ("Bookends").

C A D W A L A D E R

Magistrate Judge Debra C. Freeman
November 1, 2021

The Parties have jointly agreed that these Discovery Protocols will facilitate the efficient and orderly production of documents and ESI.

The Parties thank Your Honor for attention to this sensitive matter and request the Court enter the Protective Orders without modification.

Dated: November 1, 2021

Respectfully submitted,

By: /s/ Joel Mitnick

Joel Mitnick

*Counsel for Defendant Macmillan Publishing
Group, LLC.*

cc: Honorary Gregory H. Woods, U.S. District Court Judge
United States District Court
Southern District of New York
Daniel Patrick Moynihan Courthouse
500 Pearl Street
New York, NY 10007-1312

cc: All Counsel of Record (via ECF)

C A D W A L A D E R

Magistrate Judge Debra C. Freeman
November 1, 2021

CERTIFICATE OF SERVICE

I hereby certify that I have caused a true and correct copy of the foregoing to be served
via ECF on all counsel of record.

At New York, New York, on the 1st day of November, 2021.

By: /s/ Joel Mitnick
Joel Mitnick